

Roane County Courthouse
Public Square (119 Court Street)
Kingston
Roane County
Tennessee

HABS No. TN-202

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PHOTOGRAPHS

WRITTEN HISTORICAL AND DESCRIPTIVE DATA

REDUCED COPIES OF MEASURED DRAWINGS

Historic American Buildings Survey
National Park Service
Department of the Interior
Washington, D.C.

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HISTORIC AMERICAN BUILDINGS SURVEY

ROANE COUNTY COURTHOUSE

HABS No. TN-202

Location: Public Square, Kingston, Roane County, Tennessee.
 Latitude: 35° 52' 19"
 Longitude: 84° 30' 57"

Present Owner: County of Roane.

Present Occupant: County of Roane.

Present Use: Courthouse.

Significance: One of Tennessee's seven remaining ante-bellum courthouses, the Roane County Courthouse built by local and German emigree talent is a confident regional architectural statement with allusions to Federal and Greek Revival precedents.

PART I. HISTORICAL INFORMATION

A. Physical History:

1. Date of erection: On January 3, 1853 the County Court authorized the Commissioners to build a new courthouse on the public square and to sell the old one. On April 4th they reported to the Court with plans, specifications, and contract for \$9,400. On January 2, 1854 it was recorded that Joseph Byrd was paid for the rock for the foundations, and it was recorded on April 3, 1854 that Wells and Cary were paid for installing lightning rods. The new courthouse "published" in the Knoxville Register, recorded as paid July 3. The Kingston Gazetteer reported on November 25, 1854 that "the new Court House which has been in the process of erection some three years, is now nearly completed." (The reason for the discrepancy in beginning construction is unexplained.) However, the new courthouse was not received nor the Commissioners deactivated until July 1856 probably due to misunderstandings with the contractors. Several records of payment for furnishings and fittings exist for the years 1856-57.

2. Architects: Augustus O. Fisher and Frederick B. Guenther. The specifications are signed by A.O. Fisher and J.D. Lowery identified in Minute Book Q p571 as builders and undertakers. Fisher identified himself in Mitchel's Directory for 1860 as architect and carpenter. Minute Book Q p336 states "The Plan and Superstructure of said building which had been undertaken by John D. Lowery and A.O. Fisher to build the same according to said plan at the price of \$9,400." Minute Book Q p526 authorized payment to Henry Liggett, innkeeper, for "boarding Guenther when draughting plan of new courthouse."

Augustus O. Fisher, son of Jacob Fisher, was born October 14, 1809. His grandfather had emigrated from Holland to Pennsylvania and his father from there to Fincastle and later to Evansham (Wytheville) Virginia where Fisher was born and reared. He came from a family of craftsmen and artists. His father, Jacob, was a carpenter and builder; his brother, Flavius Josephus, became a noted artist of Washington, D.C., and other members of the family became instrumental in the success of Underwood-Fisher typewriters. As a boy Fisher was an apprentice to his father and at age 21 he became a journeyman. The Fishers were very active in the building trade in the vicinity of southwest Virginia. In 1835 Fisher migrated with his father to Athens, Tennessee in the Hiwassee District newly created from Cherokee Lands. He remained with his father's firm of Fisher and Rider for a few years but began to take jobs upon himself earning a good reputation. Noted builder and contractor Thomas Crutchfield employed Fisher to build Old College and East and West Halls of the parent institution of the University of Tennessee. Early East Tennessee institutional buildings - Blount College (extinct), Mouse Creek Academy (heavily modified), and the Roane County Courthouse - conceived in Federal and Creek Revival idioms but totally regional in application illustrate interesting similarities. Fisher's role in the design of all this is not altogether certain. In the later 1840s Fisher removed to Roane County. At first he built and managed an iron foundry. In the 1850s he was in partnership with John D. Lowery in general carpentry and undertaking. However in 1860 he listed himself as architect and carpenter in Mitchel's Directory and he was evidently involved in some degree of design work. Little is presently known of his later life. He died in Chattanooga April 22, 1877.

Frederick B. Cuenther, a native of Dresden, Germany, came to Morgan County, Tennessee as an agent of a New York land and immigration company in 1844. He was one of the founders of the town of Wartburg, Tennessee and is responsible for the town plot. Many early buildings were erected there by him including a courthouse and jail built at company expense, not public, in order to entice the county to make it the center of justice, commercial and social activity. He was known as "a generally amiable and honest man who unfortunately was more of a theoretician than a practitioner." Yet he was well respected among immigrants and natives alike for his attempts to improve that mountainous region for habitation. When the German and Swiss emigrees arrived with their funds totally expended, he gave them loans from the company purse. When shareholders received no profits pressure was brought to bare and Cuenther resigned. Working with him in Morgan County were such young men as Charles Rothe, Richard Graf, and A.E. Gredig who were destined to make substantial architectural contributions to Tennessee cities in the later 19th and early 20th centuries.

3. Original and subsequent owners: The Roane County Courthouse is situated on the western half of what is commonly called the public square. (In plan and use it bears greater similarity to a Commons.) It is bounded on the north by Cumberland Street, on the south by Court Street, on the west by North Kentucky Street (old Second Street) and on the east by Third Street.

Kingston was founded in 1799 on the lands of Robert King. In 1801 the State Legislature created Roane County with Kingston as its county seat. A courthouse, jail, and stocks were ordered built and such was done on the location of the present courthouse and jail. It has remained the property of the county since 1801.

A plan of Kingston dated May 8, 1811 (Deed Book C p.414) identifies the courthouse and jail lots as #28 and 27. An 1890 plot shows no change. Since then however a new street - Court Street has divided lots #28 and 27 from the previously adjoining lots #21 and 22 to the south.

4. Builders, suppliers: Materials and labor were supplied by local businessmen and craftsmen. Many of these like Guenther had left the German and Swiss communities of Morgan County for the more promising opportunities of the nearby river town.

Joseph Byrd supplied the foundation rock. Wells and Cary supplied the lightning rods. Oscar Steinweher, tinner, did the tin work. G. Eblen, carpenter and cabinet maker, made the interior furnishings and finishings, as well as supplying 3333 feet of plank. Henry Liggett, merchant and innkeeper, supplied the courtroom stove and leveled the courthouse grounds. F. Young and I.H. Zinn were paid \$1000.00 for a stone-and-iron fence around the courthouse (January 1857) which is now removed. Zinn, a marble cutter and listed in Mitchel's 1860 Directory as architect, carpenter, and brickmason, also carved the original bases for the columns on the southern portico and in the vestibule.

5. Original plans and construction: See xeroxed copy of the specifications in Sources of Information, under Supplemental Material. There seem to be few dissimilarities between the specifications and the resulting structure or details, except of course, the additions and alterations.
6. Alterations and additions: Maintenance and repair records are constant. The following is a listing of major work undertaken only.

1881 - the main courtroom (first floor) was ceiled instead of the plaster being repaired.

1882 - a new roof was applied.

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1882 - a new roof was applied.

1888 - the second floor courtroom was fixed up. The bar from the first floor courtroom was moved upstairs and a room for the circuit clerk was provided by the erection of partitions in the second floor courtroom.

1889 - a clerk's office was constructed by erecting partitions in the first floor courtroom.

1892 - the north and east masonry walls were rebuilt and rods were applied through the building (J.B. Stevens, architect). Also, two rooms were constructed in the first floor courtroom and it has not been used as a courtroom since. These were built as jury and witness rooms.

1895 - partition between clerk's room and courtroom on the second floor was removed.

1902-04 - a sustained period of remodeling. The original 12/12 and 24/24 window sashes were replaced by the present 2/2. The third floor or attic "Long Room" was fitted up, cupola base altered or rebuilt, gable dormers added, northern portico added, new furnishings including new desks, mantles, chairs and courtroom benches added, new iron fence added, stairs rebuilt, present witness and grand jury room fitted up, the exterior brick painted, and repairs were made.

1936-37 - a two-story rear addition was constructed. Herbert R. Graf, architect of Knoxville (and son of architect Richard F. Graf of Morgan County who had been associated with the original draftsman, F.B. Guenther) was the designer, and Joe Murphy of Kingston supervised construction.

B. Historical Context:

Kingston has played a key role in influencing the development of central East Tennessee. Situated on the Clinch River at the crossing of the Cumberland Road it has served as trade center and transportation hub for most of the 19th century. The first road that connected the Cumberland settlements (Nashville) with points east had its origin at the Clinch River in 1785. When Knoxville was founded in 1792 the road was extended eastward. About that time the famous Fort Southwest Point was established near present Kingston to protect that route. Kingston was founded in 1799 and in 1801 Roane County was established with Kingston as the county seat. By 1803 the first Courthouse built of brick had been built along with a jail and stocks, on the site of the present square. This courthouse remained standing for a few years after the present one had been completed. In 1822 regular bi-weekly stage service stopped at Kingston carrying

travelers to and from Knoxville and Nashville and points beyond. The only other access to either city was by the more comfortable but much longer trip down the Tennessee River to the Cumberland, Ohio, or Mississippi Rivers. In 1835 regular steamboat navigation served Kingston making it a chief bulk trading point between Knoxville and Chattanooga. By 1860, J.L. Mitchel in his Directory described Kingston as a "place of considerable commercial importance.." As a center of trade and industry it has "8 stores of various kinds, one steam flouring mill, one steam saw mill and carding machine, one lumber dealer, with diversified trades and various professions..," to say nothing of its inns and taverns. The prosperity of this trading center is reflected in the ambitious, confident statement of the Roane County Courthouse. In the words of the editor of the Kingston Gazetteer, "it is one among the most commodious and splendid buildings of the kind in the State."

PART II. SOURCES OF INFORMATION

- A. Early Views: Page 2 of The Roane County News September 27, 1971. An old photograph (before 1902), showing southern facade without dormer gables and with original 12/12 window sash.
- B. Interviews: Reese Allen. Confirmed that attic fixtures were never used for hangings although a Negro was hanged in the courtyard about 1899. He helped with alterations of 1937 and confirmed that nothing was done to the cupola or attic at that time. He helped put new wood floor in the old courthouse and thinks that the old brick floor of the first floor had been taken up. He confirmed that stairway had been replaced at some date in his memory. He cut door in courtroom to new addition. He and Tom Tetterroll were in charge of the work on the old courthouse in 1937. He put no concrete in the floor. Born 1892.

Judge Elmer Eblen - Identified the architect for the 1937 addition.

C. Bibliography:

- 1. Primary and unpublished sources:

Roane County Court Minute Books, Roane County Courthouse, Kingston, Tennessee.

McMinn County Chancery Court Records. Biographical information on Augustus O. Fisher.

German and Swiss Colonization in Morgan County, Tennessee," by Robert Schofield Cooper. A thesis submitted in partial fulfillment of the requirement for the degree of Master of Arts, University of Tennessee, Knoxville. 1925. - McClung Collection, Knoxville.

2. Secondary and published sources:

John L. Mitchel's Tennessee State Gazetteer and Business Directory for 1860-61 #1. Nashville. 1860. pp3-94. McClung Collection, Knoxville.

Goodspeed's History of Tennessee 1887. reprinted by Charles and Randy Elder Booksellers, Nashville. 1972. p.821.

Newspaper articles:

Kingston Gazetteer Vol. 1, #34. Nov. 25, 1854. microfilm. McClung Collection, Knoxville.

The Roane County News, September 27, 1971. p.2.

F. Supplemental Material: See attached.

Prepared by: Joseph L. Herndon
HABS Project Historian
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September 1974

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HABS Architectural Historian
Fall 1985

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Specifications of Court-house to be built at Kingston
Roane County Tennessee

The building to be of Brick that are nine inches in length, four and a half in breath, and two and a half thick, located in the public square near where the present Court house is.

The dimensions of the building is fifty six by seventy feet. The foundation to be sunk at least eighteen inches below the surface, and more if necessary for a safe and firm foundation, which is to be made of good sound well burnt brick to the height of two and a half feet above the surface of the ground, three brick thick, above which foundation the walls of the building are to be erected thirty five feet high, with a cornice running down on the same five feet wide extending around the entire building, making the height of the walls including foundation and cornice thirty nine feet. All the outside walls, and the walls enclosing the vestibule are to be laid with good stock brick of a uniform color. The walls of the first story to be two and a half brick thick, and of the second story two brick thick, and laid down in the style hereafter to be designated by the commissioners. The building to be divided by one main partition wall two brick thick, running through the same twenty three feet from the front end.

The front of the building is to have an open hall or vestibule in the center 20 feet wide so as to form upon the right and left offices forming 18 feet of wall in front on either side of the vestibule.

The front of the building is to be divided into three stories, the other end designed for court rooms into two stories.

The stories in the front end of the building are to be constructed as follows. The first story ten feet from the floor to the joists - The second story 9 feet from floor to joists, and the 3rd story to consume the remainder

* Original in possession of Mrs. Lloyd G. McCluen, 216 S. Kingston Avenue, Rockwood, Tennessee.

of the space left.

The basement floor of the vestibule to be paved of good hard mill burnt brick and to be ascended by stone steps well hewn out the entire width of the vestibule, the steps to have eight inches rise and 12 inches tread, the filling up to lay the brick pavement floor of the vestibule is to be regarded as part of the brick work.

There are to be two chimneys, one on each side of the front end of the building, containing three fireplaces each so as to have a fireplace in each office, with separate flues extending to the top of the chimneys.

The other portion of the building designed for Court rooms is to be divided as before stated into two stories, the first story to be 15 ft in the clear and The second story to consume the balance of the space left. There are to be two chimneys in the court rooms each containing two fireplaces, one below and one above, with one additional flue in each chimney for the insertion of stove pipes to be used in the lower court room - there is also to be a suitable hole left for a stove pipe to run into the flues of two chimneys in the lower court rooms, these holes, however are to be temporarily closed up in finishing the room, all the chimneys to be six feet from out to out, and the top of the fireplaces to be supported by strong iron bars one inch thick and two inches broad, and the lower hearths all built up solid from the ground.

Two parallel foundation walls $1\frac{1}{2}$ brick thick are to be run across the court room for the support of the lower floor of good hard brick.

There are to be 3 doors opening into the Court room below, one from the vestibule in front and one on each side, all to be six by 12 feet with transom lights over each to reduce them to their proper height - The lower offices are to be entered from the vestibule and are likewise to have doors communicating with the court-room -

Two flights of plain stair ways are to be run in the vestibule leading to the upper offices and upper court-room three and a half feet wide, to be well banistered in a neat and substantial manner - The roof of the vestibule to be supported by two wooden fluted columns $2\frac{1}{2}$ ft in diameter at the base, extending the entire height of the vestibule diminishing at the capital according to the rules of architecture, to be constructed of good heart pine or poplar staves clear of sap or knots and set on cast iron or marble.

The front of the vestibule to be finished with suitable cornice not to obstruct the columns with Iron railings of the most approved patterns across the two upper stories in the front of the vestibule, the floor of which is to be laid with best heart pine plank tongued and grooved and put together with white Lead and oil so as to make it waterproof, with an inclination sufficient to throw off the water, and the floor of the vestibule sealed over head with good heart pine plank. There is to be a door leading out of the vestibule into each office and into the Court-room above.

There are to be 12 windows in the front end of the building two in each office and containing 12 lights each, 10 by 16 Inches.

There to be four windows on each side of the building in the lower story containing 24 lights each 12 by 16 Inches. There are to be two windows in the end of the lower stories of the same dimensions. There are to be a corresponding amount of windows in number and size in the second story with an additional window above one of the doors of the Court room below and an outer door leading onto the 2nd floor of the portico corresponding with the door below. The 2nd and 3rd floors of the Court rooms are to be supported with four solid wood columns 16 inches in diameter, extending from base to roof and placed on firm brick pillars on which columns two solid girders 12 by 14 Inches extending across each of the Court rooms, are to rest or be supported.

The room immediately above the main Court room is to be divided by a studd partition so as to cut off 20 feet which is again to be subdivided with a studd partition so as to form two rooms. The one 15 by 20 feet and the other 20 by 30 ft with suitable doors communicating with the larger room and with each other. The timbers for the sleepers and joists of the first floors of the main Court room and first floor of the vestibule are to be $2\frac{1}{2}$ by 14 inches and placed not more than 24 inches from center to center.

The 3rd tier of joice over the upper story of the Court room to be $2\frac{1}{2}$ by 12 Inches and the joice in the offices and upper floors of the vestibule $2\frac{1}{2}$ by 10 Inches and placed not more than two feet from center to center.

The roof of the building to be hipped so as to show a comb in the center of $1/3^{\circ}$ of the whole length of the building, to be framed of substantial poplar timber supported by purlains and substantial studding.

The two outer doors and all the windows of the building are to have eills of sawed stone of proper size and shape, and the frames of the doors and windows are to be of the best Black walnut timber - The window frames in the lower story of the Court Room are to be box frames and the lower sash hung with weights and pullies. All the windows in the whole building are to have venetian blinds for shuttere. The elats all to be morticed in and put together with White Lead and oil - and hung on beet Parliament hinges - with springs and ketches to fasten them - both when open and ehut - The window sash all to be of beet heart pine and one and a half inches thick when finished -

The door shuttere of the Court room are to be pannelled shuttere made of Black walnut 2 Inches thick, polished and varnished - and all other doors are to have pannelled shuttere $1\frac{1}{2}$ inches thick and painted walnut or mahogany color.

The floors all to be of good pine plank $1\frac{1}{2}$ inches thick tongued and

grooved and not more than seven inches broad - The floore in the veetibule are to be put together with white Lead and oil so as to make the same water proof.

All the rooms of the building to be finished with wash boards 12 inchee wide with heavy bead or moulding -

The inside casing of all the doors and windows are to be plain and solid faced with eingle architrave and moulding 6 inches wide -

Each of the fireplaces to be finished with a plain heavy and substantial Chimney piece to correpond with the inside finish of the building. All the doors to be hung with the beet order of butt hinges eufficiently large and strong.

All the large doors opening into the Court room to be hung with 3 hinges each, and all the doors to have the best quality of Knob Locke, corresponding in size and strength with the size and weight of the doors -

And all the outside double doors to be supplied with two strong belts, one above and one below. All the rooms in the entire building are to be finished off with two good Coats of smooth brown plaster.

All the Bricks to be of the best quality of brick, and laid with good close mortar joints and put up in a good workmanlike manner, and the outside walls neatly pinciled down -

There is to be a two story Portico on the eouth side of the building 36 feet long and 10 feet wide supported by four outside cellumns of same eize and finish of those eupporting the veetibule, with Pilasters to correpond. The foundation of the Portico to be of good hard Brick, one and a half brick thick, and eunk 18 inches below the eurface. The base of the collumns to be supported as those in the veetibule, and the foundation to be raised so as to allow but one step of 8 inches into the door.

The ground floer to be paved with Brick sealed overhead, and in every

other respect finished so as to correspond as near as practicable with the finish of the vestibule, and to be ascended by stone steps all round. There are also to be good stone steps to enter the Court Room on the opposite side the entire width of the door corresponding in size with the others -

The entire building is to be securely covered with tin of the best quality and in a workmanlike manner, and also the Portico and the cornice on the Portico is to be similar to that on the main building so as to entirely conceal the roof of the same.

The entire building is to be well guttered with tin and spouting sufficiently large to convey off all the water. The spouts to run down within 4 ft of the ground and turn out 8 inches from the wall at the bottom.

All the wood work that requires painting about the entire building is to be painted with three good coats of white lead and oil, except the doors and window blinds. The doors as before stated, and the window blinds green.

There will be also a Dome erected on the main building in the center of the roof 24 ft high from the center of the main building to the top of the Dome. The Dome to be covered with tin and a cornice running around the same corresponding with the cornice on the main building but smaller to be in proportion to the same the Body of the Cupella to be 13 feet 4 inches in diameter with a square base of 16 ft and from 3 to 4 feet high and weather-boarded and also furnished with 4 or 8 blinds of a suitable size and also to be painted to correspond with the painting on main building the timbers in the Cupella to be of good pine or poplar clear of sap to be put up in a neat strong and substantial manner 4 of the blinds to be hung with good hinges and bolts to fasten them. The mortar for the building is to be made of sand and lime of Equal proportions if required by the commissioners. All the outside walls are to be laid with stock Brick and also the outside of the walls of the vestibule.

Should the Commissioners alter or change any of the work about the building so as to increase the expence of the same, the price of such extra work is to be paid for at a proportionate price for the cost of similar work in the main building , and should they make any alteration or change which lessens the cost of the building there is to be a deduction from the price for erecting the main building in proportion to the cost of the same.

The Commissionere will execute the bonds of the County in three equal amounts payable in one, two, and three years from the date of the contract, with interest from the date in any current Bank Notes on Specis Paying Banks. The payments of the last Bond will be withheld untill the Court-house is finished and received by the ommissioners. The Commissioners retain the privilege of having the Court Rooms fitted up, and the offices finished as soon as the other work has progressed far enough to admit of it.

The outside foundation walls of the entire building is to be grouted.

The entire building to be completed and the rubbish cleaned off the yard in Eighteen months from the date of the contract.

Kingston 21st March 1853

Attest
N.A. Patterson
Henry Liggett Jr.

Commissioners
L.W. Jordan
Henry Liggett
Henry S. Welcker

Augustus O. Fisher
John D. Lowery